

Message

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Subject: FY 2021 Continuing Resolution Guidance

Hi SLT and Budget Coordinators,

Below you will find the **FY 2021 Continuing Resolution (CR) Guidance**. The guidance is also posted on the Financial Management Branch SharePoint site under the Budget section. Note that the attachments were posted in SharePoint but not attached to this email. As a reminder, the current CR provides funds through December 11, 2020.

We loaded the CR extramural funds in EcoStat and are working on the interim *travel and training* allocations. Once these are completed, we will let you know. Also, we provided your interim discretionary funds for the duration of the CR. If you have any pressing need that you are not able to cover with the initial allocation, please let me or Jennifer know.

If you have any questions please let me or Jennifer Chernowski know.

Attachments to the CR Guidance:

- FY 2021 Continuing Resolution Guidance
- FY 2021 Appropriation (Fund) Codes and Treasury Symbols (Attachment A)
- FY 2021 RPIO Activity Codes by NPM (Attachment B)
- FY 2021 Budget Authority for Recertifications, Reimbursables, and Collections (Attachment C)
- FY 2021 Carryover Plans and Fund Codes (Attachment D)
- FY 2020 Congressional Reprogramming Controls – Updated as of 3/11/2020 (Attachment E)
- FY 2010 Scrutinized Program Project Reprogramming Request Form – Fillable (Attachment F)
- FY 2021 User Fee Project Account Codes (Attachment I)

CR GUIDANCE

**EPA Region 2
FY 2021 Continuing Resolution Guidance
October 20, 2020**

***** PLEASE DISTRIBUTE TO APPROPRIATE STAFF*****

On September 30, 2020, President Trump signed the “Continuing Appropriations Act, 2021, and Other Extensions Act” (Public Law 116-159), which provides the U.S. Environmental Protection Agency with funding through Dec 11, 2020. Public Law 116-159 includes information on making funding available under the Continuing Resolution (CR), the terms and conditions of the CR, and guidance on funds management throughout the CR period.

During the term of the Continuing Resolution, all offices should operate in a conservative manner. Congress is still deliberating on the FY 2021 funding levels, and the final budget may be significantly different from the CR levels. Section 109 of the CR bill instructs agencies to avoid any high rates of spending that could impinge on final funding decisions. Please note decisions on any potential program eliminations are not yet in place. For affected programs, please spend conservatively but do not take any actions that could be construed to signal elimination. Additionally, do not implement new programs, initiatives, or activities during the period of the CR. Please take care during the period of the CR when making announcements or press releases that the terms “new” is used with appropriate context so as to avoid giving the mistaken impression of a new program.

FY 2021 CONTINUING RESOLUTION

Allowances

The CR funds Agency accounts at 72/365ths of the FY 2020 Enacted level, with no additional reduction. These levels should provide sufficient funds to cover each Responsible Planning and Implementation Office’s (RPIO) payroll and other basic operational needs through the period of the CR. Terms and conditions from FY 2020 still apply. Our regional allowance has been loaded in Compass and the budget team is working on loading the divisions’ allocation into EcoStat. *During this period, our fiduciary responsibility dictates that the Agency has funds available for unplanned or critical funding needs, so our allowance will not reflect a full 72/365ths of last year’s budget.* If there is a need to spend at a higher rate for a particular purpose that you are unable to accommodate within your available level, please contact The Financial Management Branch (FMB) to review options.

Terms and Conditions

While operating under the CR, EPA will continue current programs or activities as authorized under the conditions of the Consolidated Appropriations Act, 2020 (P.L. 116-94). New programs, initiatives, or activities not authorized or funded in FY 2020 may not be started under the CR. Conversely, where language in the House and/or Senate bills or reports signals a potential change in funding (including elimination of funding) for programs, initiatives, or activities, work should continue as authorized in FY 2020 for the duration of the CR.

NEW THIS FISCAL YEAR

Compass Codes and Object Class Updates

On September 14, 2020, the Office of the Comptroller issued an update to Resource Management Directive System 2590, FY 2020 Object Class Manual. The changes were effective October 1, 2020. The updated manual closed or modified new finance object classes (FOCs) to simplify agency cost charging and created new FOCs to capture OMB-mandated Technology Business Management (TBM) cost towers. The updated manual can be found on the OCFO Financial Policies Intranet, [here](#). If you have any questions regarding the FY 2020 Object Class Manual, please contact FMB.

Attachment A provides detailed information on active fund codes and treasury symbols.

Attachment B provides detailed information regarding Agency/RPIO Activity Codes under the FY 2020 operating plan.

Office of Research and Development (ORD) Lab Realignment

The ORD lab realignment is ongoing, and information will be shared as it becomes available. If you have any questions on the realignment of the regional laboratories to ORD, please contact FMB.

Emergency Management Guidance

For updates please refer to the Emergency Management Guidance on the Office of the Controller's SharePoint site: https://usepa.sharepoint.com/sites/OCFO_Work/OFM_FPPS/SitePages/Emergency%20Management%20Guidance.aspx.

Special Accounts and Superfund State Cost (SSC) Automatic Rollover

All prior year BFY 2020 unobligated balances for Special Accounts (fund codes TR2, TR2A, TR2B) and SSCs (fund code TR1) will be automatically rolled over into BFY 2021 at level 7. This means these resources maintain their RPIO and Allowance Holder. The Office of Budget will notify offices when funds are available to spend in Compass. Similar to other no-year reimbursables, BFY 2020 commitments were reversed and the available balance carried over into BFY 2021.

During the carryover process, all funds were carried into the "Carryover In" field. Therefore, Special Account and SSC justifications for carryover reprogramming requests must include the following information:

1. Whether funds are from carryover or from a new collection.
2. Anticipated timeframe is for when the RPIO will be utilizing the funds.

If the funds being requested are from carryover, offices should request **BFY 2021 "Carryover In"**. If the funds requested are from new collections, then offices should request **BFY 2021 "Estimated Reimbursements"**.

BFY 2019 & 2020 CARRYOVER

Appropriated Carryover

Multi-Year Funds

The EPM, S&T and IG FY 2020/2021 operating plans automatically rolled over in Compass and are available for spending up to the apportioned levels. Given the uncertainty around the final budget levels for FY 2021, offices should spend non-pay carryover cautiously.

No-Year Funds

BFY 2020 – Like the multi-year funds, STAG, Superfund, LUST, B&F, E-Manifest, TSCA, WIFIA 2-year Administrative and Inland Oil Spill carryover balances automatically rolled over in Compass and are available for spending up to the apportioned levels. These funds maintain their original BFY/Fund identifier (for example, 2020 T) during FY 2021. If deobligated during FY 2021, these funds will immediately become available to the allowance holder; recertification is not necessary.

BFY 2019 and Prior – STAG, Superfund, LUST, B&F, E-Manifest, TSCA, WIFIA no-year Administrative and Inland Oil Spill carryover available balances are scheduled to be swept from the budget in early October. Any available balances from the FY 2019 and prior funds will be combined into a single carryover fund under BBFY 2020 (for example 2020 TC, E1C, BTC, etc.). As part of the commitment reversal process, any commitment lines with BFY 2019 and prior funds were reversed by a batch process. No new commitments will be entered against these BFY 2019 and prior funds beginning October 1, 2020.

The Office of Budget will centrally manage the BFY 2019 and prior years, Superfund, LUST, and Inland Oil Spill carryover funds. STAG funds will be redistributed to the relevant NPMs or redirected for Agency priorities.

Congressional Earmarks - Earmarks (Program Project 51) continue to rollover into E5C at level 7 and maintain their RPIO, AH, and add-on code identifiers. Earmarks are loaded in BFY 2020. In FY 2021, deobligations against BFY 2020 E5C will recover to BFY 2020 E4D line of accounting and recertification is required. These deobligations will hit OB's Recertification Database under E4, E4C, or E4D. OB will move those balances to 2020 E5C and issue them upon request. All deobligated Earmark funds must be requested from the Recertification Database and returned to headquarters (Allowance Holder 9K) or your organization by the end of the Fiscal Year.

Reimbursable and Offsetting Collections Carryover

For carryover of offsetting collections for E-Manifest (M3F), FIFRA (P), PRIA (P1), WIFIA fees (WFF), and Working Capital Fund (WR), BFY 2020 available balances, including commitments, were swept and will be reissued via reprogramming after the carryover process is complete. All reimbursable offsetting collection funds will be issued with a BFY of 2021. Please see the 'Special Accounts and Superfund State Cost (SSC) Automatic Rollover' section above for the Special Accounts and SSC carryover process. The Fund/Allowance Holder/PRC list for the from line of these reprogrammings is provided in **Attachment C**.

Please refer to **Attachment D** for a more detailed outline of the carryover process for no-year funds.

REPROGRAMMINGS DURING THE CR PERIOD

Reprogrammings and Congressional Limits

1. **NOA (BFY 2021) reprogrammings will be processed on a restricted basis.** Like past years, any reprogrammings processed in Compass during the CR will be wiped out when the CR Budget is replaced with the final enacted budget. At that time, all reprogrammings processed in Compass during the CR that are still required at the full-year level will have to be resubmitted either in BFS or in Compass using new reprogramming document numbers. To minimize the number of reprogrammings that must be re-entered when we receive the final enacted budget, FMB will only enter critical reprogrammings which cannot wait until we have a final budget. Please work with FMB on any reprogramming need.

2. Carryover (BFY 2020) reprogrammings can be processed. Reprogrammings of BFY 2020 funds that do not cross Program Areas or specifically controlled Program Projects, or Sub-Program Projects can be entered directly into Compass. Offices are expected to manage funding by Budget Object Class and avoid defactos. BFY 2020 Reprogrammings crossing Program Areas, select Program Projects, and all Sub-Program Projects must be entered into the BFS Reprogramming module. Congressional controls for the CR period and the FY 2020 carryover are detailed in **Attachment E**.

3. Additional scrutiny applies to four Program Projects in EPM: Congressional, Intergovernmental, and External Relations (E8); Regulatory/Economic-Management and Analysis (H9); Wetlands (E2) and Environmental Education (E9). These Program Projects are shaded in green on Attachment E. Requests to reprogram in or out of these Program Projects will be reviewed by the Office of Budget. If an RPIO is considering a reprogramming in any of these four programs, **Attachment F MUST** be submitted to your Control Team Analyst and Control Team Leader for review.

Protected Programs

Attachment E contains a list of protected Program Projects. There are three types of protected Program Projects: 1) those that cannot be decreased; 2) those that cannot be increased or decreased; and 3) those that require approval from OB via a Reprogramming Request form for any changes.

OTHER INFORMATION

User Fee Project Account Codes

Guidance was issued on September 5, 2014, from Jeanne Conklin to the Senior Resources Officials regarding user fee tracking. To improve the accounting and tracking of user fee program costs, a project code is now required on all related funding documents. The project code will capture all direct costs (labor, contracts, travel, and grants, etc.) and activities associated with each user fee.

Attachment I list's the project codes required to capture costs for EPA's user fee programs. The first and second characters in the eight-character project field will identify the user fee program.

Reimbursable Requests

The Cincinnati Finance Center (CFC) will continue to load Reimbursable Interagency Agreement, CRADA, and IPA funds directly into the Compass Project Cost Accounting Module. No reprogrammings are necessary for budget authority. Agreements with project periods ending in FY 2021 should have a FY 2020/2021 identifier and those ending in FY 2022 or later will have an FY 2021/2022 identifier.

For no-year interagency agreements or FY 2019/2020 or prior agreements that will be carried over, FMB will need to request authority using an "RF" document. The carryover funds will not be available until the RF has been entered and confirmed with the CFC. Below is a list of CFC contacts.

- Working Capital Fund – **Mark Cochran & David Harmon**
- Oil IA – **Kim White**
- FEMA – **Evelyn Allen**
- IPAs, Project Agreements, Non-Federal IAs, Federal Advance IAs – **Jennifer Keene**
- HQ and Regional Repayment IAs – **Carol Goetz**

Please refer to the link below for an SOP with step-by-step directions for the automated RF process:
[http://intranet.epa.gov/ocfo/perform/pdfs/how to reserve reimbursable authority.pdf](http://intranet.epa.gov/ocfo/perform/pdfs/how%20to%20reserve%20reimbursable%20authority.pdf).

STAG Continuing Environmental Program (CEP) Grants

It is a priority of the Agency to make timely CEP grant awards to States and Tribes from STAG funds available under the CR and from unobligated carryover STAG funds.

Consistent with the March 11, 2016, memorandum establishing the Agency's grant award timeliness metric, the Regions should make CEP grant awards using unobligated carryover STAG funds as soon as possible. Additionally, as the Regions make their funding distributions under the CR, they are expected to be in close communication with their State partners

to identify priority CEP grants, considering the fiscal needs of individual States and Regional/State environmental priorities. For example, if a Region made an award late in FY 2020 to a State for a CEP program, and the State informs the Region that adequate funds are available for the next several months, the Region may decide that providing additional funding to the State for that program under the CR is a lower priority.

To ensure compliance with appropriation law requirements, including the Purpose Statute and the Anti-Deficiency Act, Regions may not augment CEP funds with funds available for Clean Water or Safe Drinking Water State Revolving Fund programs. If there is a particular need for STAG funding that is of concern, please contact FMB.

Attachments:

- A. FY 2021 Appropriation (Fund) Codes and Treasury Symbols
- B. FY 2020 RPIO Activity Codes by NPM
- C. FY 2021 Reimbursable, Collections, Carryover and NOA Reprogramming Lines
- D. FY 2021 Carryover Plans and Fund Codes
- E. FY 2020 Congressional Reprogramming Controls
- F. FY 2021 Scrutinized Program Project Reprogramming Request Form
- I. FY 2021 User Fee Project Account Codes

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